App F IX-4

Previous References

193/-32 (mc)

File No. 247-31

Serial Nos. 1-2

Later References

mc 166-32 (1-2)

mc 1 22-3-1 4-4 SPL PRINTED

General and Revenue Secretariat.

Serial Nos 2

Part B for July 32

SUBJECT.

Delegation of Certain Powers to the Pdt. by the Madhyapradesh Government etc.

---

2. To Me by Comm Tumkur
No L 302 8/12 7.32
A/B proves and appends a list to the G.O.

Insp

4421

Delegation of certain powers to the presidents of Madhugiri Ml cl

and Revenue Secretariat | Ml File No 249 of 1931 | [App F III—2

Serial No	
1	Letter No A 3. C. 1082/31-32 dt 5.5.32 from the D.C. Tumkur forwarding copy of the Madhugiri Ml president's letter together with the resolution of Ml cl delegating certain powers under Section 4 (b) (1) of the Ml Regulation. Further states that since the D.C is the unit officer the power to suspend, fine, reduce or dismiss Ml Servant whose pay does not exceed Rs 40/p may also be delegated to the president but the power to appoint Ml servants may continue to vest in the D.C. etc.
H Q.	1 The powers enumerated as per list annexed which have been proposed to be delegated to the Ml. president include partly powers delegated under Section 186 cl (2) of the Ml Regn etc to the Ml. Commissioner & partly by the Ml. cl & partly to the Health officer & Ml. Engineer under Section 6 & 7 (a) respectively of the Mysore Ml. Bylaws Sealed for orders. 2/5/32 2 Please see if the powers have been delegated in any other Town Municipal Council etc, perhaps Copy of the rules framed under Section 6 (1)
per SS 2/5	3 There does not appear to be any such instance 31/5/32
Mr D Sitaramaya will please note on the proposal. 4/6	4) Please examine the rules of other Ml cls called for separately and note preliminarily. This may be attended to at HQrs

NOTL—Contn Sheet

File No 249 of 1931 | General and Revenue Secretariat

The printed copies give bylaws so far received have been worked into the bylaws framed by the Amkal mal are put up

Flag O

83 24/6/32 5° Kind reference is invited to the rules of the rules under Part III of the Amkar Mahal Rules, under which most of the powers now proposed to be delegated to the Mahajani Pl President have been delegated to the Amkal Pradesh.

6 The proposals after Sum Cancel maybe approved

II Member) Sm 28/6

7) [illegible] Draft Sm 1/7.

8) Submitted with a draft for approval.

In para 2 of the Dy Comm's letter, the Dy Comm. requests that the power to appoint Municipal Servants, may continue to vest in the Dy Commr as heretofore.

On a review the rules issued with Govt no L 3337 x ml 67-30-2 of 25/10/31 it is the mal that are competent to fill up vacancies. This may be printed 83 ——— but to the Dy Comm if he presses 17/32 the power again.

Issue Sm 4/7

25/6/32

Yes Sm

OFFICE OF THE SECRETARIAT OF GOVERNMENT 29 JUNE 1932 No. 11091

TYPING SECTION 5 JUL. 1932 GEN'L & REV SECT

Serial No	
2	Issued. not 302 of 12/7/32 to the Trustees offering the proposal [illegible]

By my
Q 1/7

WD 70—GBPM—60,000—13 8-31

~~Rl 172 31-7~~ 4421

No Mad.C.1062/31-32

Enc One file

OFFICE OF THE DEPUTY COMMISSIONER,
TUMKUR DISTRICT

Dated Tumkur, the 5th May *1932*

Rl. 249-31-1

FROM

M. Sundararaja Iyengar Esq., B.A.,
Deputy Commissioner
Tumkur District, Tumkur

GENERAL SECRETARY
9 MAY 1932
No. 2 5 2

To

H.V. Ramaswami Esq., M.A., B.L.,
General *Chief Secretary to the Government,*
of Mysore, Bangalore

REV. SECTN
11 MAY 1932
R. & E. BRANCH

SIR,

Subject - Delegation of certain powers to the President by Madhugiri Town Municipal Council.

****

I have the honor to enclose herein for perusal and favour of early orders, as this is the collection season, communication No.Ml.35/31-32 dated 25-1-32 in original together with its enclosures from the President, Madhugiri Town Municipality in the matter of the delegation to the President of certain powers under Section 46 (1) (b) (1) of Municipal Regulation. The Municipal Council, have approved of the delegation (vide copy of resolution enclosed). I have discussed the matter with the President also.

2. As the Deputy Commissioner is the Unit Officer in respect of this Municipality, the power to appoint Municipal servants may continue to vest in the Deputy Commissioner as heretofore. The President may have power, however, to suspend, fine, reduce or dismiss Municipal servants whose pay does not exceed Rs.40/- per mensem.

I have the honor to be,
Sir,
Your most obedient servant

M Iyengar,
DEPUTY COMMISSIONER,
Tumkur District.

From

To

Dated

Despatched

Received

General No.

No.

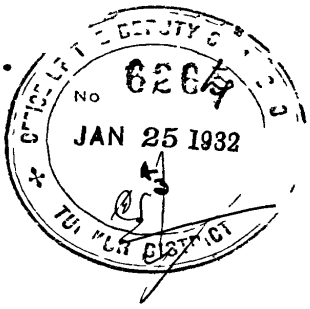
Enclosure No.

MI 35
31-32
En = 2 (Statement 2 Pages & Rules)

Office of the President
Madhugiri Town Municipal Council,
Dated, Madhugiri the 23rd January 1932.

From

The President,
Town Municipal Council, Madhugiri.



To

The Deputy Commissioner,
Tumkur District, Tumkur.

Sir,

I have the honour to submit herewith for kindly forwarding to Government for sanction bye-laws under section 46 (b) 1 of the Municipal Regulation passed by the Madhugiri Municipal Council delegating to the President certain powers under the above regulation

At present although these powers are being exercised in practice there are no bye-laws empowering the president in this behalf and as such should unfortunately any case be taken up to court the same would fail on account of this defect. This is especially felt in the matter of collection of Municipal Revenue. The powers referred to in Section 82,83 and 84 have not been delegated to the President. As the matter stands at present, every warrant under - section 83 (1) should now be caused to be issued by the Municipality The President is however in practice issuing the warrants, but should his power in this matter be questioned the issue of the same would be ultra vires. Similarly in the matter of control of Public - nuisances etc.,

This question was gone into carefully at a special meeting of the Municipal Council, and the delegations as passed therein - finally approved by the Council, at their meeting held on 13-1-32. The delegations follow, the delegations made by the Mysore Municipal Council (vide page 233 of the copy of the Municipal Regulation and Bye-laws of the Mysore Municipal Council, Crown Press 1916)

I request early sanction being accorded to these to facilitate the work of the Municipality.

I have the honour to be,
Sir,
Your most obedient servant,

B. Raghavendra

President, 23/1/32
Town Municipal Council.

Powers proposed to be delegated to the President by the Madhu-Giri Municipal council under several of the following sections of the Mysore Municipal Regulation;-

Sections.	Subject matter.
82 & 83	Issue of bills, notice and warrants for the recovery of the Municipal ~~arrears~~. taxes.
84	Sale and disposal of goods destrained.
92	Setting back projecting buildings.
93	Setting forward to regular line of street.
94	Roofs and external walls of buildings not to be made of inflammable materials.
95	Level of buildings.
96	Notice of new buildings.
98	Improvement of huts
99	Municipal control over drains etc.
100	Powers for making drains.
101 (1)	Sufficient drainage of houses.
~~102~~ (2)	New buildings should not be erected without drains.
106	Provision of privies etc.
107	Cost of altering, repairing and keeping in proper order privies &c
108	Power to close existing private drains.
109	Power in respect of sewers etc., unauthorisedly constructed, re-built or unstopped.
110	Encroachment on Municipal drains etc.
111	Inspection of drains etc.
113	Permission necessary for certain projections
114	Troughs and pipes for rain water.
115	Fixing of brackets etc., to houses.
118	Removal and trimming of hedges trees etc.
119	Ruinous or dangerous buildings
120	Powers and duties with regard to dangerous stagnant or insanitary sources of water supply.
121	Displacing pavements etc.
122	Obstructions and encroachments upon public streets and open spaces

123 Hoards to be set up during repairs etc.

125 Timber not to be deposited or ~~w~~hole made in the street without permission.

126 Dangerous quarrying.

127 Depositing dust~~,~~ etc.

128 Discharging sewage etc.

129 Non-removal of filth etc.

130 Removal of night-soil.

131 (1) Filthy buildings etc.

(3) Deserted and offensive buildings.

132 Power to enter and inspect etc., buildings.

134 Fouling water.

135 Abatement of ~~new~~ nuisances.

136 Using offencive manures etc.

137 (1) Tethering cattle etc.,

~~1~~ (2) Keeping swine

138 Consumption of smoke.

142 Search for and inspection of un-whole some articles.

143 False weights and measures

144 Powers which may at any time be conferred etc.

(Prevention of dangerous diseases)

145 Duties of Municipal coucil on threatened actual out-break of dangerous disease.

147 Powers for the prevention of diseases among horses and dogs, cattle~~,~~ sheep or goats

154 Service of notices and penalties on non-compliance therewith.

155 Punishment for disobedience to orders and notices not punishable under any other sections

156 Execution of works by the Municipal councils in default of owner or occupier, and to recover the expense.

159 Entry for the purposes of the regulation.

161 Prosecutions

161 (a) Power to compound offences (provided that a statement of such prosecutions to be placed before the Municipal council)

The President shall have power to appoint suspend fine reduce or dismiss~~,~~ any Municipal servant whose pay does not exceed Rs 40/- per month.

The President shall have power to sanction all prosecutions for breach of any provision of the Municipal regulation and the bye-laws

bye-laws framed thereunder.

Provided that the President shall not act in opposition to or in contravention of any resolution ~~of~~ or decision of the Council or any constituted Committee of the Council and that in all matters in which an appeal is practicable, appeal shall lie from the President to the Council, and provided also that the Municipal council may even without an appeal exercise their powers of revision over any of the ~~xxx~~ above acts of the President

B. Narasimhaiah

President,
Municipal Council,.

[illegible] 13-1-32 [illegible]

[illegible]

× × × ×

No. of Members present = 11

No. of Members Absent = 5

× × × × ×

11. [illegible]

Approved

× × ×

(Circulated the letter and list of Seenons)

× × × ×

Sd/ B S Raghavendra Rao
President
13-1-1932

"Copy"

B. Raghavendra Rao
President

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to L4421

Section mt

File No 249-31

Serial No 2

General and Revenue Secretariat

(mt)

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 12/7 193

Signed by Mr A.S. Rowe

Read— Letter no. A3 C. 1082-31-32 dated 5/5/32 from the Deputy Commr Tumkur district submitting for Sanction the rules framed by the madrigir mel under Sec 4 6 (b) (ii) of the MR Rgn, delegating certain powers to the President under the MR Rgn as per list attd. ~~Order thereon~~ ~~No~~ ~~certain~~

Order: L302 D/12/32

~~No notes~~ Approved.

for M/7 for General Secy to Govt

To the Dy Commr Tumkur dist.

May this be—

(i) printed ?

(ii) treated as a standing order

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?